

REMARKS

Claims 1-49 are pending in the present reissue application. In the Office Communication dated October 30, 2003, the Examiner stated that the reply filed on August 13, 2003 was not fully responsive to the prior Office Action dated May 13, 2003. This Response to the Office Communication complies with the regulations (37 CFR § 1.173) and with the practice outlined in the MPEP (MPEP 1453).

In the Office Action dated May 13, 2003 the Examiner stated that the reissue oath/declaration was defective for failing to contain a statement that all errors which are being corrected in the reissue application up to the time of filing of the oath/declaration arose without any deceptive intention on the part of the applicant. The applicant respectfully disagrees. The Supplemental Reissue Declaration submitted on August 13, 2003, contains the requisite statement.

The Examiner also noted that the oath stated two errors, and further stated that he “does not see that the new claims deal with anything other than the second error.” Applicant thanks the Examiner for so noting his opinion about the corrective action being taken, however, this does not render the oath or declaration defective because “the corresponding corrective action which has been taken to correct the original patent need not be identified in the oath or declaration.” The Examiner is referred to MPEP 1414, II, paragraph 5.

Applicant has nonetheless amended claims in the present application in order to more fully claim applicant's disclosed invention. Claims 14, 15 and 16 now claim a method for stopping planarization of a substrate based upon the detection of a pH level, a conductivity, and a chemical composition, respectively. Claims 19, 20 and 21 recite a method for stopping mechanical and chemical-mechanical polishing of a substrate at an endpoint, where the polishing is stopped upon detecting a predetermined pH level, conductivity, and chemical composition, respectively. Claims 24, 25 and 26 recite a method for stopping polishing of a semiconductor substrate at an endpoint location, where the polishing is stopped when a predetermined pH level, conductivity, and chemical composition, respectively, is detected. Claims 34, 35 and 36 now recite a method for determining when the polishing of a substrate has reached an endpoint, wherein the polishing is stopped when a predetermined pH level, conductivity, and chemical composition is detected. Finally, claims 47, 48 and 49 are amended to recite a method for

stopping polishing of a substrate at an endpoint, wherein the polishing is stopped when a predetermined pH level, conductivity, and chemical composition is detected.

Applicant also notes that, to date, the PTO-1449 from the Information Disclosure Statement filed December 28, 2001 has not been returned.

Applicant's payment to cover the additional fifteen (15) independent claims was transmitted, along with the fee transmittal sheet, with the original Amendment on August 13, 2003. Therefore, Applicant is submitting copies of these documents at this time as proof of payment. Additionally, the original Supplemental Reissue Declaration was submitted with the transmittal of August 13, 2003 as well, so Applicant is submitting a copy of it at this time.

The Commissioner is authorized to charge any other fees which may be required, or credit any overpayment to Deposit Account No. 50-1266.

All of the claims remaining in the application are now clearly allowable. Favorable consideration and a timely Notice of Allowance are earnestly solicited.

Respectfully submitted,

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Enclosures:

Postcard
Fee Transmittal Sheet (+ copy)
Supplemental Reissue Declaration

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